No. 15-274

# In The
# Supreme Court of the United States

WHOLE WOMAN'S HEALTH, *et al.*,

*Petitioners,*

v.

JOHN HELLERSTEDT, M.D., COMMISSIONER OF THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES, *et al.*,

*Respondents.*

**On Writ Of Certiorari To The United States Court Of Appeals For The Fifth Circuit**

## *AMICUS CURIAE* BRIEF OF 3,348 WOMEN INJURED BY ABORTION AND THE JUSTICE FOUNDATION IN SUPPORT OF RESPONDENTS FOR AFFIRMANCE


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## INTEREST OF *AMICI CURIAE*[1]

### A. *AMICI CURIAE* 3348 WOMEN INJURED BY ABORTION[2]

3,348 *Amici* Women Injured by Abortion are women who were injured by their own abortions. Most of the *Amici* Women Injured by Abortion suffered grievous psychological injuries, but many suffered severe physical complications as well. All were exposed to the risk of serious physical injury, as well as serious psychological injuries, and thus have a

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[1] The Justice Foundation is a 501(c)(3) non-profit legal foundation that handles cases pro bono in cases of great public importance. The Foundation is supported by private contributions of donors who have made the preparation and submission of this brief possible. No counsel for a party authored this brief in whole or in part, and no counsel or party made a monetary contribution intended to fund the preparation or submission of this brief. No person other than *Amici Curiae* or their counsel made a monetary contribution to its preparation or submission. Consent to this Brief was given by both parties, after timely Notice of Intent to File the Brief.

[2] Attached as Appendix A is the list of the initials, first names, or full names of the *Amici* Women. In order to protect their identities, some of the women have requested that we use initials only or first name only. These women's sworn affidavits or declarations made under penalty of perjury are on file at The Justice Foundation. Protecting the identity of women who have had abortions or seek abortions has been customary since *Roe v. Wade*, 410 U.S. 113 (1973) and *Doe v. Bolton*, 410 U.S. 179 (1973) where *Roe* and *Doe* both were pseudonyms. Some of the 3,348 *Amici* Women Hurt by Abortion also wish their names listed on behalf of or in memory of their aborted children and have supplied the names they have given to the children they aborted.

profound interest in protecting other women from such injuries. All of the *Amici* have experienced abortion in actual practice, not theory.

*Amici* have experienced first hand, some multiple times, the callous reality of the abortion industry. The vast majority of women who go to high volume abortion facilities are treated as a business asset, not as a patient. It is standard practice for a woman to not even see her doctor until she has paid her money and is prepped for the abortion. A normal doctor-patient relationship does not exist despite the theory espoused in *Roe v. Wade*, 410 U.S. 113 (hereafter "*Roe*"). For example *Amicus* Dorinda Haun of Texas stated:

> "*Nobody talked to me at all about the abortion procedure.*"

*Amicus* Claudia Madrid of Texas said:

> "*No, I was not* [informed of the nature and consequences of abortion]. *All they asked was my name, age, and weeks of pregnancy and that is it.*"

*Amici* know first hand the misrepresentations and substandard health practices of the abortion industry in practice. *Amici*, in this brief, will provide this Court with actual women's perspectives on abortion, as opposed to the abortion industry's perspective.

Because *Amici* were injured by the actions of the abortion industry, the Abortionists/Petitioners ("Abortionists") do not represent their interest. In fact, the Abortionists' interest is adverse to *Amici's* interests.

The abortion industry does not speak for all women. Listening to the *Amici's* unique and different perspective as women patients injured by abortion will aid the Court in achieving justice.

In testimony before the Texas House of Representatives State Affairs Committee, hundreds of legally admissible written testimonies of Women Injured by Abortion were received by the Texas Legislature in hearings on HB 2.[3] Operation Outcry member Molly White spoke about her own abortion injuries and presented hundreds of testimonies of Texas women or women who had their abortions in Texas. Their testimony described the failure of the abortionists to obtain fully informed, voluntary consent; the conflict of interest; the deception; and the psychological and physical injuries which Ms. White and the other women suffered as abortion patients. Molly White is a post-abortive woman, who is now a Texas State Representative; she was elected to the Texas House in November 2014, on a platform of seriously regulating the abortion industry to protect women such as herself. Many other women of Operation Outcry, a project of The Justice Foundation, testified in person about their injuries in support of HB 2. The hundreds of testimonies presented to the Texas Legislature constitute a far more voluminous record than this Court can read, but when the women victims of the abortion industry seek consumer

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[3] Texas Legislative Record, House Committee on State Affairs.

protection for themselves and others, their voices should be heard and heeded.

A woman's abortion experience is often a deep, dark, and painful secret. The information being offered to this Court by *Amici* is crucial. For years, even decades following their abortion, most women who have experienced an abortion are still not willing to speak about it publicly. This is true even when the women were injured physically or are tormented by thoughts of suicide, substance abuse, eating disorders, guilt, shame, nightmares, sleeplessness, and depression. *Amici's* unique perspective will assist this Court in making a just decision. Even some of the opposing *Amici*, such as former Texas Senator Wendy Davis admit the grief their abortion caused. *See Amici Curiae* Brief of the Hon. Wendy Davis, *et al.*, as *Amici Curiae* in Support of Petitioners, at p. 14 (she named her daughter in the womb, Tate). *Amici* sympathize with her pain. Clearly, the best information regarding the effect of actual abortions is not necessarily from the doctors, but from their patients.

Many of the *Amici Curiae* Women Injured by Abortion suffered severe and debilitating physical injuries from their abortions. For example, *Amicus* Cindy H. had four abortions between 1978 and 1980, two of which were in Odessa and Lubbock, Texas. After Cindy H.'s second abortion, she began bleeding severely and even passed out from the trauma. The abortionist's staff told Cindy H. if she had complications not to go to the emergency room but to call them directly. She called the office after hours and it was

closed. Because of their instructions not to contact the emergency room, she complied with the abortionists' instructions not to do so and suffered severe loss of blood. She suffered most of the night with worry and extreme concern over the severe bleeding but did not go to the emergency room. Later diagnosis revealed she had a punctured uterus, and a pelvic inflammatory infection. Eventually she did receive antibiotics from the abortionist's office but later suffered severe difficulty in conceiving children which her doctor attributed to scar tissue on the uterus. A normal doctor with hospital admitting privileges and an after-hours phone line could have met her at the hospital immediately to see what the problem was. After severe difficulties due to scarring on her uterus, Cindy H. was eventually able to conceive, though much later.

The opposing brief of *Amici Curiae* Kate Benfield, *et al.*, in support of Petitioners is from ten women who claim that they do not regret their decision to have an abortion. However, even some of these women agree with *Amici* that abortion causes great pain. For example, Jo "*was in agonizing pain for several hours after the procedure.*" Brief at p. 15. In addition, Kate "only recently" told her father about the abortion after 28 years, because she was filing her brief in this case. The only science they quote is an article about women's consequences of abortion one week after abortion in which the majority of women, while many expressed sadness, also expressed relief. Because abortion is such a difficult and painful decision,

the initial reaction may be relief because the trauma of the actual event is over and the decision making process is over, but that may sow the seeds of trauma and emotional injury that lasts for decades.

*Amicus* Kathryn Bretz, stated:

> *"I specifically asked if this was a baby and was told 'No, it's a formless blob of tissue.' No one told me that this was a tiny baby who would be ripped apart. I was not informed of potential negative physical, psychological and spiritual consequences. The brochure stated that many women experience relief, without any consequences and it also stated 'there may be a BRIEF period of sadness' The abortion has impacted my life negatively the day it happened and every day since for almost 30 years with unmanageable and powerful emotions of guilt, sorrow and raw pain. I developed a migraine disorder that has consumed my life, destroyed my career and finances. My inconsolable crying over the loss of my child, and knowing I was complicit in his death has caused deep, traumatic and overwhelming pain that can trigger a migraine. I've ended up at the ER with runaway migraine pain, with no pain-killing drug that exists in medical science to assuage my misery. For a month after, my body was wracked in pain and it seemed like continuous labor.* ***I expelled large chunks of endometrium and what looked like fetal tissue.***"

Finally, the fact that some women may not be injured in the procedure is good news for those women, but it is an insufficient reason to not take precautions to prevent injury or deal with the injuries that other women have, and will suffer in the future. For example, one person might not require a defibrillator during surgery, but it is generally considered a good precaution to have available for those that might need it.

## B. THE JUSTICE FOUNDATION

The Justice Foundation is a 501(c)3 non-profit public interest litigation foundation formed in 1993 to litigate for limited government, free markets, private property and parental rights, and since 1998, for protecting women's health. The case before this Court concerns both the free market provision of abortion services and the irrevocable termination of parental rights through abortion.

In 1998, a significant number of women injured by abortions, including those with punctured uteruses, punctured colons, and other severe injuries, contacted The Justice Foundation for assistance. At that time, pursuant to these women's requests, and at the instigation of two young female lawyers, The Justice Foundation formed a Women's Health Protection Task Force to investigate claims that the Texas Department of Health was not adequately regulating

or inspecting abortion facilities.[4] In the opinion of *Amicus* The Justice Foundation, abortion facilities were severely under-regulated at that time. The Texas Department of Health at that time failed to adequately inspect abortion facilities and did not even respond adequately to actual complaints of injured women, which The Justice Foundation documented.

One of those women, Elizabeth H. had an abortion at the hands of an unqualified employee in an abortion facility who falsely posed as a licensed medical doctor. Ms. Herrera suffered severe injuries, over $40,000 in medical bills, and nearly died as a result of the employee's action. In the Elizabeth H. case, evidence supplied by a Texas Department of Public Safety (DPS) narcotics officer showed that the Department of Health was aware of severe problems in the abortion facility where Elizabeth H. was criminally injured; however, the Department did not act in any way to prevent her or others from being injured. In 1997, the prior year, a young girl actually died in San Antonio as a result of a botched abortion by an abortionist. *See* San Antonio Express News, "ME's Office Verifies Teen Died From Legal Abortion," April 24, 1997 "The cause of death is 'complication of a perforated uterus due to an abortion,' said Jerry Leyva, an investigator with the Medical Examiner's Office." *Id.* Other Justice Foundation clients described

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[4] One of those young lawyers was Kathleen Cassidy Goodman, Co-counsel on this brief.

incidents ranging from an abortionist's failure to wash his hands between abortions (danger of infection) to inadequate emergency facilities and equipment at abortion facilities. Texas finally began to adopt serious regulations for the protection of women's health, in 1999. The state has a legitimate interest in protecting women's health from the onset of pregnancy. *Gonzales v. Carhart*, 550 U.S. 124 (2007) (hereafter "*Gonzales*").

In 2000, The Justice Foundation created a project called "Operation Outcry: Silent No More" to give women injured by abortion an opportunity to be heard. Their voices, the voices of women who have actually experienced abortion, need to be heard. Operation Outcry has now collected approximately 4,500 legally admissible testimonies of women from all over the country who have been injured by their abortions. This includes hundreds of testimonies from Texas women or women whose abortion was in Texas. These injuries include physical complications such as punctured uteruses, punctured colons, sterility, excessive bleeding, near death experiences and other subsequent complications. They also include the "devastating psychological consequences" recognized by the Court as early as *Casey*[5] (hereafter "*Casey*").

The Justice Foundation has found that when abortion facilities are under-regulated, women are injured, as illustrated by the Report of the Grand

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[5] *Planned Parenthood v. Casey*, 505 U.S. 833 at 882 (1992).

Jury in the under-regulated Kermit Gosnell facility which was allowed to fester and grow even as it killed women in an under-regulated environment.[6] Serious regulation is needed to prevent severe and potentially severe health consequences to women.

In 2001, The Justice Foundation represented 11 Texas women injured by the abortion industry in Texas and brought a suit against the Texas Department of Health **for failing to enforce** the existing regulations that had been passed. Under the regulations in 2001, the Department of Health would notify the abortion industry before they did the inspections giving the abortionists plenty of time to cover up unsanitary and unhealthy conditions or fix serious medical compliance problems. In 2003, the State of Texas settled the lawsuit with The Justice Foundation's clients by making a significant number of agreements to enhance abortion facility regulation, including common sense, unannounced inspections in Texas. Thus, injured abortion patients in Texas have sought and won more protection for women. The Court should not hinder these efforts.

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[6] Report of the Grand Jury, R. Seth Williams, District Attorney, First Judicial District of Pennsylvania, Criminal Trial Division: http://www.phila.gov/districtattorney/pdfs/grandjurywomensmedical.pdf

## SUMMARY OF ARGUMENT

*Amici* 3,348 Women Injured by Abortion know from personal experience that the high volume abortion industry failed to take adequate measures to protect their safety. They also know from personal experience that abortion was sold as a totally safe, routine procedure but it left them with severe and debilitating injuries, both physical and psychological. They describe for this Court why the shame and secrecy of abortion causes these types of injuries to be underreported. Finally, they are aware from personal experience and science, that the high volume abortion industry routinely deceives and misleads its patients.

Despite all the frantic hand wringing by the Abortionists, Texas doctors still have the legal capacity to perform far more abortions in Texas, even under HB 2, than the 60-70,000 abortions that have been performed in recent years.

The abortion industry needs strict, rational, but serious regulation. Because the patients in outpatient surgeries like colonoscopy and other outpatient surgeries do not suffer from guilt, shame, depression, and other emotional trauma like abortion patients may, the patients are more likely to report complications and seek assistance. The abortion industry misleads and deceives women routinely, yet escapes serious inquiry.

High-volume, mass-produced abortions increase the risk that perforated uteruses, perforated colons and severe bleeding will occur in a particular facility.

The seriousness of a punctured uterus, punctured colon and severe bleeding, all of which can lead to death, makes it extremely rational for high-volume providers to be required to maintain extra precautions or more expensive safety procedures. The state's interest in women's health and in preventing women's death from the common, but deadly, side-effects of abortion, perforated uteruses, etc., is a vital, profound and compelling interest from the onset of pregnancy.

When abortions are performed at a low volume, under fifty, the risk of serious injuries in that particular location is reduced. The odds of serious complications in abortion occurring at a particular location are lower with low volume.

## ARGUMENT

### I. *Amici* Women Injured by Abortion Know from Personal Experience That Women's Health Must Be Protected with Serious Health and Safety Regulations with An Emphasis on Women's Safety

Approximately 10% of women undergoing elective abortion will suffer immediate complications, of which approximately one-fifth (2%) are considered life threatening. The nine most common major complications are: infection, excessive bleeding, embolism, ripping or perforation of the uterus, anesthesia complications, convulsions, hemorrhage, cervical injury, and endo-toxic shock. The most common

"minor" complications include: infection, bleeding, fever, chronic abdominal pain, vomiting, gastro-intestinal disturbances and Rh sensitization.[7]

The abortion industry, while always claiming it is the defender of women, like every human endeavor, is subject to human failures and personal self-interest. The utopian vision of *Roe v. Wade* was that women and their own Dr. Kildare or his modern equivalent, would discuss all of the woman's options in private and she would make a voluntary, informed decision. All information necessary to a woman's decision would be given to a calm, mature independent woman, unswayed by any outside pressures, who would then carefully examine all of her alternatives. But as the Court in *Washington v. Glucksberg*, 521 U.S. 702 (1997) noted when this Court declined to find a right to assisted suicide, the messy reality of life and death decisions in a crisis can be a far cry from the utopian vision of complete personal autonomy – a painless death voluntarily chosen with the fully informed consent of the dying. *Washington v. Glucksberg*, 521

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[7] Frank, *et al.*, "Induced Abortion Operations and Their Early Sequelae," Journal of the Royal College of General Practitioners (April 1985), 35 (73): 175-180, Grimes, DA, Cates, W. Jr. Abortion: Methods and Complications. In Hafez ESE, ed. Human Reproduction.; Conception and Contraception (2nd ed) Hagerstown, Maryland: Harper and Row, 1980: 796-813; Freedman, M.A., "Comparison of complication rates in first trimester abortions performed by physician assistants and physicians," Am. J. Public Health, 76(5): 550-554 (1986). *See also* www.afterabortion.org.

U.S. 702 (1997). The messy reality of abortion is similar.

*Amicus* Stella says:

> *"No.* [They] *did not explain the emotional trauma post abortion. Small counseling afterward but did not explain damage done to my body or soul.* ***I also had two miscarriages because of scar tissue.***"

*Amicus* Paula K. Moore stated:

> *"No. Did no pelvic exam, no blood work, very painful and I* ***hemorrhaged that night. My mother had to race me to hospital****. Absolutely not [I was not informed of the consequences of abortion].*"

### A) *Amici* Women Injured by Abortion Know from Personal Experience That the Abortion Industry Failed to Take Adequate Measures to Protect Their Safety

Here are more of the personal experiences of *Amici* in the realm of physical complications from abortion:

*Amicus* Linda Huffsteller stated:

> *"I was only 14 years old acting out of fear and desperation. I didn't even give them an I.D. because I didn't have any. All I had to do is sign in. No one even talked to me until I had a gown on and was ready to wheel*

*me to the OR room. During my abortion I was told by the nurses that I almost didn't make it and there was complications. I was told I would be in and out within an hour or two.* ***I was in recovery for the next 10 hours and my boyfriend (now my husband) wasn't*** *kept informed why I wasn't coming out into the waiting room where he had to wait. They even locked the doors due to closing time."*

*Amicus* Penny said:

*"I was talked to about my blood type, whether or not I was anemic, and asked whether or not I wanted to be able to have kids after.* ***I cannot and have not been able to have kids at all*** *even though I have always wanted them. I've lost that which makes me a woman and a mother. For the first 2 years, I was so depressed all I wanted to do was die. I tried to commit suicide twice."*

*Amicus* M.M.:

*"I was only 18 at the time and at that time I had no idea that would be my only opportunity to have a child. I did have a few minor gynecological problems and I am not sure if they are directly related to my abortion. A few months ago, at 43, I had a hysterectomy and that is what made me realize that I would never have a child of my own and ruined and destroyed any chance of ever becoming a mother. If only I had known. "*

### B) *Amici* Women Injured by Abortion Know from Personal Experience and Science That the Abortion Industry Routinely Deceives and Misleads Its Patients

One of the questions that Operation Outcry asks women to answer on its affidavits and declarations under penalty of perjury is: "Were you adequately informed of the nature of abortion, what it is, what it does?" and "Were you adequately informed of the consequences of abortion?" Most women, but not all, stated that they were not adequately informed with comments such as:

*Amicus* M.H. says:

> *"I was informed that **it wasn't going to hurt and it was the most painful thing I ever experience[d]** to date. I remember the nurses telling me to be quiet so that I don't scare the other patients. I had no clue what type of abortion I was having. I was told that this was the best option for my situation and it was the worst choice I ever made."*

*Amicus* Crystal Hartman said:

> *"There is no adequate way to inform a woman of the emotional scars it will leave behind. **I had to have someone come stay with me for 2 weeks because I was suicidal**. Abortion continues to affect me, it's not something you deal with, wrap it up with a bow, and that's it. As you change, so do your thoughts and ideas and emotions towards it change."*

*Amicus* Mary:

> *"They don't go into specific detail. I think that would scare you and you would back out. I also was not allowed to see the screen during the ultrasound and they did not share the results with me.* ***The pain I endured from the time the dilation began and then through the actual procedure was alarming and VERY unexpected.***"

*Amicus* Jennifer, Texas, said:

> *"I was told my baby 'was just tissue the size of a peanut.' It was easy and slight pain like menstrual cramping. No, I had no idea I would be depressed for six years."*

*Amicus* Vickie Adams, Texas, stated:

> *"I had absolutely no clue to what I was doing."*

*Amicus* Lorrie, Texas, says:

> *"I was told to sign a form, show ID, and pay cash."*

*Amicus* Sarah Allen, Texas:

> *"The councilor* [sic] *asked me if I wanted an abortion & I said yes. I was not told what would happen during the procedure. He told me where to sign. Even when I was in the little room to get the ultrasound so they could see how far along I was, the girl didn't speak to me. She was talking to a girl, training her I guess, and I looked at the monitor & asked*

> *'Where's the heartbeat?' All she said was 'There isn't one.' And she turned the monitor so I couldn't see and ignored me the rest of the time."*

For similar experiences and other misleading and deceptive practices of the abortion industry, which argue for strict regulation, *see* Appendix B, Excerpts of Women's Testimonies.

The most important meta-analysis of 22 studies across the world was done by Dr. Priscilla Coleman:

> "Women who had undergone an abortion experienced an 81% increased risk of mental health problems, and nearly 10% of the incidence of mental health problems was shown to be attributable to abortion."

*See* Coleman, Priscilla, "Abortion and Mental Health: Quantitative Synthesis and Analysis of Research Published 1995-2009," The British Journal of Psychiatry (2011) 180-186, 199, DOI: 10.1192/bjp.bp.110.07723.

Another of the most common deceptions and misleading activities by the abortion industry is failing to obtain the fully informed and voluntary consent of the patient. Obtaining voluntary informed consent is a fundamental requirement of the good practice of medicine. However, one of the fundamental questions that many women ask is: "Is it a baby?" If you are an ethical doctor, how do you answer that question? Many abortionists simply answer: "It is just a mass of tissue."

*Amicus* Nona Ellington was told her baby was:

> *"Only a blob of tissue. I was not prepared for how painful the abortion would be since it was only partial anesthesia. As a minor with my mother there, we were not informed of what the procedure entailed and my mother was not allowed in the counseling room beforehand to make an educated decision. My mom even tried to get into the room, but they sent her away. I was never introduced to the doctor. I only know he was a man."*

Abortionists have had to be forced over and over again, in state after state, to disclose critical and important truths to their patients that interfere with the abortionists' ability to close a larger number of abortion sales. For example, Texas abortionists had to be forced by law to show women by sonogram the contents of their own uterus before it is "evacuated" in abortion, *Texas Medical Providers v. Lakey*, 667 F.3d 570 (5th Cir. 2012). What other kind of doctor would refuse to show a patient x-rays of her broken bone before it is set? The abortionists claimed women already knew what a sonogram would show, yet 20% of Texas women changed their minds and declined abortions after seeing the sonogram. San Antonio Express News, "State Begins Enforcing Sonogram Law," Feb. 8, 2012.[8]

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[8] http://www.mysanantonio.com/news/local_news/article/State-begins-enforcing-sonogram-law-3134153.php

South Dakota required the abortionists to tell the abortion patient she has an increased risk of suicide and suicidal ideation. This law was upheld by the 8th Circuit against the claim by the abortion industry the statement was false or misleading. *Planned Parenthood v. Rounds*, 530 F.3d 724 (8th Cir. 2008) (*en banc*). Most would think disclosing an increased risk of suicide would be important to obtaining voluntary informed consent to any procedure.

The third major failure to disclose adverse consequences to women is that the Supreme Court has twice found that women may suffer "severe depression" and "loss of esteem" *Gonzalez v. Carhart*, 550 U.S. 124 at 159 (2007) or "devastating psychological consequences," *Casey*, 505 U.S. 833 at 882 (1992). The abortionists routinely ignore the opinions of the United States Supreme Court with respect to the psychological injuries of abortion and act as if they are above the law and do not need to disclose that information to their patients. "*Whether to have an abortion requires a difficult and painful moral decision" and is "fraught with emotional consequence.*" *Gonzalez v. Carhart*, 550 U.S. 124, at 159, (2007). Instead they told *Amicus* Karen:

> *"I was told that my baby was not really a live baby, but that it was only a blob of flesh, and since it really wasn't alive, I wouldn't be killing anything. Later, when I saw the sonogram of my second living child, I saw that he was VERY ALIVE and the guilt overwhelmed me."*

*Amicus* C. B.:

> *"Everything was very rushed, cold and impersonal. It was more a matter of sign here and go sit down and wait until we call your name. Nothing whatsoever was mentioned about any consequences, physical, mental or emotional. It was absolutely the very worst 'choice' I have ever made in my 55 years of life."*

*Amicus* Sheila Sibilsky stated:

> *"I was put in a room with an ultrasound machine. The nurse used it to get a picture on it. Then she said she would be right back. I was left alone for several minutes. Before this I was talked to privately by a woman who looked as though she was in charge. I was taken into her office and she told me how they normally don't do abortions this late in the pregnancy because it is illegal and because I kept calling and asking questions they would do me a favor. I had to never speak of it though.* [She was 24 weeks in 1997] *After the ultrasound thing I was taken to a room and laid on a table. I did not look around. I was just going through the motions. I did not see what they were doing. I just looked up and when the procedure started I started to scream. I felt horrible and immediately I felt the ripping and tearing of my child. I wanted to die and even now I can feel the ripping and tearing. They never told me what was going*

> *to happen and never explained if they were going to do this or that. It was come in here, talk to me, look at this, sit by yourself and think, give us the credit card number, lay here and good luck and goodbye."*

*Amicus* Rachel Ann Kingston says:

> *"No one talked to me at all about what would happen to me or to my baby. All they said is that I would [not] have to worry about anything. No one told me that I could bleed for several days, have horrible cramping and especially the emotional terror and anguish that would follow such a procedure. Also, I have had to have a hysterectomy afterwards and I will never be able to have children again."*

Another major deception of the abortion industry is to repeatedly say the decision should be between a woman and her doctor. The vast majority of women who have abortions in America never even meet the abortionist before they pay their money. *Amici's* experience is that check, cash or credit card is given and the doctor is not brought in until the woman is prepped for surgery and he steps between her legs to perform the operation. For example,

*Amicus* Anna Jacobs stated:

> *"They took my money and called my name and that was it. No explaining. No*

> *nothing. They never said anything about anything."*

Thus, if a woman changes her mind after the counselling or during the procedure, she feels pressured by the fact that she has already paid and won't get a refund. *Amici* experienced many instances where doctors refused to stop an abortion once payment was received or the procedure began. For example, *Amicus* K.H.:

> *"No. They didn't tell me there were different types of abortions or what was done in the different types. There was no talk of the emotional side effects or possible physical side effects. It felt like being herded through like cattle. They lined us all up, handed us pills, and then herded us through a door one after the other. Then when they started the procedure and I told them to stop. They said it was too late and continued anyway while I passed out. I was placed in a chair, unconscious and left there to wake up alone. They would not allow my husband to come into the back to sit with me while I waited or be with me when I woke up. It was an absolutely horrible experience that left me shaken, hurt, and emotionally damaged."*

That is not the intimate doctor-patient relationship that was hopefully envisioned by *Roe*.

*Amici* women agree with, sympathize with, and support the testimony of the only abortion patient who actually testified about her abortion pain in this

case below. Her name was Ashton Jimenez and her testimony is in the record. Fifth Circuit, ROA, 3192-93. They agree with Justice Ginsburg that abortion is "painful and difficult," *Gonzales*, (Ginsburg dissenting, n. 7). As the Plaintiff-owner of Whole Woman's Health testified below, " nobody gets pregnant to have an abortion. "[9]

## II. The Market in Texas for Legal Abortions Has the Legal Capacity to Provide Far More Abortions per Year Even under HB 2 Than the 60-70,000 Abortions That Have Been Performed in Recent Years

The Abortionists have focused most of their attack on the argument that there will be limited access to abortions in Texas if the law is allowed to go into effect. While *Amici Curiae* Women Injured by Abortion have experienced the known risks of abortion, including both physical and psychological injuries, and would caution any woman against abortion, they must disclose to the Court that even under HB 2 there is a large free market capacity for legal abortions in private physicians' offices in Texas.

The current reality is that women seldom see an abortionist except when performing the procedure. For example, J.K. stated:

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[9] Fifth Circuit ROA, 3091, line 17.

> *"They didn't say anything once I got to the clinic, just handed me some pills and made demands of where I was to go for the next two hours and then pushed me out of the door as quickly as they could after they were done. They didn't check on my well-being, just wanted the money I called to let them know I was having problems and they told me it was normal to have 'discomfort' after. They left part of my baby there and my body tried to hold onto it for several months before being rushed to the hospital hemorrhaging."*

*See* Appendix B for more Women's experiences.

Even under current Texas law, all physicians are exempt from the challenged provisions of HB 2 unless the office is used for the purpose of performing more than fifty abortions in any 12 month period.[10] There are over 49,000 primary care physicians in Texas providing direct care to patients.[11] If each of these doctors perform fifty abortions, that would be almost 2.5 million legal abortions which legally could be performed every year in Texas. In the most recent year for which statistics are available, 2013, only 63,849 abortions were performed.[12] Thus, the number

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[10] Texas Health and Safety Code Title IV, Chapter 245.004(2). Admitted by Petitioner's Brief, p.4.

[11] http://www.dshs.state.tx.us/chs/hprc/tables/2015/15DPC.aspx

[12] The number of abortions in Texas has been declining each year for the past five years with 63,849 in 2013; 68,298 in 2012;

(Continued on following page)

of legally available "theoretical" *Roe v. Wade* type abortions, in which a woman prior to her abortion actually discusses the matter with her personal physician, is vastly higher than the actual number of abortions performed in Texas. HB 2 creates almost 2.5 million abortions legally possible versus a declining need for only 60-70,000 abortions.

### A) American Congress of Obstetricians and Gynecologists (ACOG) Members Alone Can Provide 125,000 – 185,000 Abortions in Texas

According to The American Congress of Obstetricians and Gynecologists' website,

> "District XI of The American Congress of Obstetricians and Gynecologists (ACOG) was formed in 2008 and represents Texas as a single-state district of ACOG. District XI represents more than 3,700 physicians and health partners. The district advocates for improvements in health care delivery for the women of Texas, offers continuing education opportunities for its members, and promotes awareness of vital health care issues to patients and the public."[13]

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72,470 in 2011; 77,592 in 2010; 77,850 in 2009. *See* http://www.dshs.state.tx.us/chs/vstat/annrpts.shtm.

[13] It is not clear if "health partners" include doctors only, so the lower number cited in the ACOG brief is used next.

(Continued on following page)

3,700 ACOG members x 50 abortions = 185,000 abortions per year that can be performed under HB 2.

*Amici* ACOG members could perform at least 127,450 abortions based on its Brief listing "2,549 obstetricians/gynecologists in Texas, among their joint members (College and Congress)," ACOG *Amicus* Brief, p. 1. (2,549 members x 50 abortions = 127,450 abortions per year.). ACOG members spread across Texas who believe an abortion is an essential health care service, *id.*, could provide 127,450 abortions: far more than the 63,849 abortions performed in 2013. ACOG members alone could provide women in Texas more than twice the number of abortions performed in 2013, the last year for which data is available.

The data shows the number of abortions is declining in Texas.[14] Much of the decline may be due to the fact that more and more women are hearing about the emotional and physical trauma of abortion and are choosing to keep their children.[15]

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http://www.acog.org/About-ACOG/ACOG-Districts/District-XI/About-Us

[14] Texas Department of Health, http://www.dshs.state.tx.us/chs/vstat/vs13/t38.aspx, *see also* n. 12.

[15] For a prominent example of this phenomenon note that Kourtney Kardashian kept her child because of trauma and abortion guilt voluntarily reported by women on the web. People Magazine: "Kourtney Kardashian Agonized Over Whether to Keep Her Baby," 08-19-2009, http://www.people.com/people/article/0,,20298807,00.html. *See also* www.abortionchangesyou.

(Continued on following page)

### B) Bureau of Labor Statistics Show Texas OB/GYN Doctors Can Provide 92,000 Abortions

Even if a woman only wanted to visit a trained obstetrician or gynecologist, there are at least 1,840 of those providing care in Texas, according to government records.[16] Multiplying each of these obstetricians and gynecologists by 50 would yield 92,000 possible legal abortions, well over the 63,849 performed the last year statistics were available. Petitioners claim that HB 2 could "eliminate more than three quarters of Texas abortion facilities and limit the capacity of the remaining few." Pet. Brief, p. 25. "Abortion facility" is defined in statute as a place where more than 50 abortions a year are performed, but there are 49,000 doctor offices in Texas where low volume (under 50) abortions may be performed. As is often the case with the financially self-interested abortion industry, only the facts leading to their conclusion are mentioned to courts, media and patients.

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com. *See also Casey*, "*devastating psychological consequences*," *supra*, at 882 and *Gonzales* at 159 " some women come to regret aborting the infant life they once created and sustained Severe depression and loss of self-esteem can follow."

[16] U.S. Bureau of Labor Statistics, http://www.bls.gov/oes/current/oes291064.htm

### C) High Volume and Low Volume Providers Together Provide Excess Legal Capacity for Texas Abortions

Planned Parenthood, the largest provider of abortions in America, has complied with these regulations, and was not a plaintiff. Pet. Brief at 24, n. 13. Other high volume abortion providers have also. It is therefore obviously possible for high volume providers to comply. Thus, clearly both access to high volume providers (Planned Parenthood, for example) and low volume providers (under 50) still exists under HB 2.

The theory and rhetoric of *Roe v. Wade* and the pro-choice movement is generally that the decision whether to have an abortion is a personal decision which should be between a woman and her doctor. As *Amici* Women Injured by Abortion know from painful experience this is **not** the reality of abortion in practice. High volume abortion facilities make their profit from speed and high volume. For example, *Amici* K.M.:

> *"No. It was explained as ending a pregnancy, that the fetus was just a blob of cells, it was minimized for sure. There was never any counseling or mention of the emotional or possible physical harm it could cause. I was rushed and it was obvious they weren't interested in me but in getting as many abortions done as fast as possible.* ***I ended up hemorrhaging after the abortion and they told me that they "thought" the doctor gave me a blood thinning rather than a blood clotting medication.*** *I have no idea the*

*cause. It was very frightening that is for sure."*

This is where most abortions occur and why strict facility regulations are needed. As *Amici* can attest, most women never see their individual abortionist at all, until he is performing the abortion. This is the *Amici* experience as actual patients. But there are so many doctors in Texas they could visit if an ambulatory surgical center was not close to them. If they went to their personal doctor, or a local doctor who did more than abortions, they might actually receive truthful and non-misleading information about the nature of fetal development. They might receive truthful and accurate information about the adverse physical and emotional consequences to women. Regular doctors might discuss alternatives to abortion or refer to others for counseling. **In fact, there only needs to be 1,400 out of 49,000 doctors to perform 70,000 abortions, more than needed in a declining market.**

Thus, this case is not about access to "safe," legal abortions but about protecting the existing high volume abortion businesses whose bottom line is affected. It is not in the financial interest of high to middle volume dealers to tell women the truth that any doctor in Texas can do up to 50 abortions per year. This would eliminate or reduce waiting time. This is simply a claim by particular doctors, especially Whole Woman's Health, that the regulations hurt their existing business and would cost them money.

Low volume abortion providers, i.e., a doctor in his own office performing less than 50 abortions, may not as clearly need the consumer protection requirements for the known adverse physical consequences of abortion. A uterus is not punctured in every abortion, but as the volume goes up the probability that a patient will experience a punctured uterus in that particular facility rises. Thus, Texas has engaged in the rational line drawing process of requiring less stringent safety precautions for low volume providers and courts have approved this.[17] Of course, there is no undue burden on a woman's right to abortion when

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[17] The Fifth Circuit Court held that it was rational for the state of Texas to have stricter requirements for high volume abortion providers in an earlier case. "Recognizing that the Legislature reasonably could conclude that women receiving abortions in high volume physician offices need more protection than patients undergoing other procedures in such offices," the Court held "that the classification distinguishing physicians who perform abortions in their offices from those who perform different but comparable surgical procedures in theirs bears a rational relationship to a legitimate state end." *Women's Med. Ctr. of NW Houston v. Bell*, 248 F.3d 411, 422 (5th Cir. 2001). The Fifth Circuit noted that these 1999 amendments (volume cutoff that year was 300 abortions) served the purpose of protecting the health of Texas women from the outset of pregnancy. The Fifth Circuit found that a classification based on the number of abortions performed rationally serves the general purpose of protecting women's health. *See also Greenville Women's Clinic v. Bryant*, 22 F.3d 157 (4th Cir. 2000), cert. denied. Undeniable logic dictates that as the volume goes up the risk of every particular physical complication rises in that facility.

there are so many potential providers still in existence.

## III. Who Should Decide How to Regulate the Abortion Industry?

One of the key issues in this case is what is the proper amount of regulation for the abortion industry and who gets to decide? Does the Supreme Court really want to become the National Medical Board for Abortion? Is it the proper role of the Supreme Court to decide the square footage requirements for an ambulatory surgical center? *Amici* would argue the abortion issue will never go away for the courts, unless it is returned to the proper legislative process. *Amici* urges the Court to listen to the voices of the women who have actually had abortions. They are better representatives of women than the doctors who want to profit from women. These women know how abortion is actually practiced in America, not the glossy *Roe* utopian dream.

*Amici* have disclosed to this Court the vast legal capacity that Texas doctors, even just obstetricians/gynecologists, have to perform abortions in Texas even after HB 2, yet it is only with fear and trembling as one considers such avoidable injuries to women. If only 10% of women are hurt physically and/or

psychologically, that is between 60,000 to 100,000 injured women per year.[18]

*Amicus* Cassandra:

> *"My abortion has affected me and will continue to affect me for the rest of my life. I'm only 19 years old. . If there is one thing I can [n]ever change is my abortion experience and have my baby back. Abortion is not what people make it to be. I just wish I could go back and never had done that!"*

*Amicus* Mitzi Atkinson:

> *"My life was a disaster. I self-medicated to hide the pain. I hated myself and wanted to die for three years afterward. It was awful!"*

*Amicus* B.P.:

> *"I have never 'put it behind me.' I now have other children and there is never a birthday or Christmas that passes that I don't wonder about my first child."*

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[18] *See* Brief of Women Injured By Abortion filed in *Stenehjem, et al. v. MKB Management Corporation, et al.*, Case No. 15-627 pending at the Supreme Court for significant scientific data on the number of women injured by abortion. Texas also has a Safe Haven law in which Texas and all 50 states will remove all burden of unwanted child care without abortion, at no cost to the mother. *See* www.safehavenalliance.org.

*Amici* 3,348 Women Injured by Abortion were injured not by lack of access to abortion, but by too much and too easy access to abortion. Many of them have said that if it were not made legal by this Court, they would never have had abortions. They would never have suffered. Many of them had reasons for getting their abortions, similar to the abortion decisions of opposing *Amici Curiae* Kate Benfield, *et al.* But *Amici* know from personal painful experience that the abortion industry needs serious regulation, rigorously enforced, to protect women's safety. Substantially large numbers of women nationwide have been seriously injured by physical complications of abortion, which are known and recognized by the abortion industry. A woman is not very healthy once she is dead. How much psychological damage do you suffer if you bleed for days and weeks, even if you don't die? How many decades of emotional trauma come from a punctured uterus and scarring that prevents the future birth of wanted children. The only government task force to study abortion as practiced in reality found abortion severely injures women. *See* Report of the South Dakota Task Force to Study Abortion.[19] Here are some further examples of psychological and physical injuries that were suffered by *Amici*:

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[19] http://www.dakotavoice.com/Docs/South%20Dakota%20Abortion%20Task%20Force%20Report.pdf

*Amicus* Nona Ellington:

> *"It ruined any chance of giving birth. As a result, I had 5 miscarriages, 3 of them tubal pregnancies, requiring emergency surgery and were very near death experiences. I have suffered from several bouts of depression and attempted suicide, self-mutilation and an 18 year-long abusive marriage as an aftermath of the abortion."*

*Amicus* Tina:

> *"Never was I told the emotional distress it would cause me for the rest of my life. I was a murderer. I took an innocent, helpless life out of the safest place life should be protected in 'the womb.'"*

*Amicus* Jennifer:

> *"I woke up in the middle of the procedure-literally feeling life being taken from my body. I became severely depressed, suicidal, I have had one preterm delivery because of a weakened cervix, numerous nightmares, fears, unhealthy relationships and shame for killing my child. I was told the baby was 'tissue' that was the biggest lie."*

*Amicus* Gina Bartok:

> *"No one told me what it would be like afterward. It was presented that it would erase all of my problems. All it did was add a huge burden and make things*

> *more difficult. I would have been better off keeping the baby and struggling or adopting out, but those were not offered as [an] option. I was told as a young collegiate with a bright future, abortion was my best path to fixing the problem."*

*Amicus* Sherri Lafferty:

> *"I've attempted suicide twice; have been struggling with depression and guilt for 27 years now. My next pregnancy after the abortion resulted in an ectopic pregnancy which ruptured. I feel that I lost 2 babies from that one abortion. I had scarring and pain from the time of the abortion onwards, resulting in having to have a hysterectomy when I was only 25."*

## Malpractice is Not a Good Safety Regulator for Abortion Facilities

While *Roe v. Wade* assumed that the law of negligence and abortion malpractice would act as a sufficient regulator of abortionists' behavior, in practice there are many impediments which prevent abortion from effectively becoming a safe, tort-regulated industry.[20] For example, in one of the earliest cases of a woman who came to The Justice Foundation

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[20] *See generally* Roberts, Gary, "Medical Malpractice in Abortion Cases," 3 Am. J. Trial Advoc. 259 at 267 (1979-1980); Laska, Lewis, "Medical Malpractice Cases Not to File" 20 Mem. St. U. L. Rev. 27 (1989-1990).

with a perforated uterus, the reviewing medical expert (required in Texas malpractice actions) stated that perforated uteruses were such a known and common risk of abortion that perforated uteruses were not necessarily negligence, but merely an assumed risk of the operation. While this is not really disclosed to the patient, punctured uteruses and colons are so common that negligence is hard to prove. Some doctors believe it is just a common byproduct of the procedure. High volume businesses should be required to take precautions and remediation measures when punctured uteruses and death can occur.

The shame and secrecy of abortion also prevents normal malpractice actions. Many of the women of Operation Outcry did not tell anyone about their abortions, or even their injuries, until decades afterwards, long after the two year statute of limitation passed. Senator Wendy Davis, the chief opponent of HB 2 in the Senate, only recently confessed her abortions publicly when she ran for governor. *Amici* have great sympathy for her in her grief: "*Did I grieve tremendously? Yes, I did, in an indescribable way.*"[21] Women generally do not want the publicity of an abortion malpractice action. The trauma of having participated in the killing of their own baby prevents many women from suing their abortionist. Often *Amici* suffered even physical injuries in silence alone,

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[21] "As the U.S. abortion case looms, both sides seek personal touch," Reuters, Jan. 3, 2016. *See also Amicus Curiae* Brief of Hon. Wendy Davis, p. 14 ("experience was crushing").

rather than go back to the place they killed their child. Many did not want to go back "there" again. The relatively short statute of limitations for medical malpractice in Texas is two years[22] and prevents many actions from being brought since women have not recovered from the psychological trauma sufficient to withstand litigation by that time.

## CONCLUSION

For women's health and safety, *Amici* urge affirmance of the decision below.

Respectfully submitted,

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[22] Tex. Civ. Prac. & Rem. Code, Section 74.251(a).

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## APPENDIX A

## WOMEN INJURED BY ABORTION
## (With Their Children's Names)

Cindy Collins in memory of my children, David Emanuel and siblings, Myra Jean Myers in memory of my child, Joshua; Nona Ellington in memory of my child, Darren Nicholas; Maria M. Banks in memory of my child, Matthew; Karen Bodle in memory of my child, Lauren Elizabeth; Tracy Reynolds in memory of my child, Debbie; Millie Lace, in memory of my child, Jill Allison; Nita Roder in memory of my child, Thomas Aaron Roder; Paulette Bunting in memory of my child, Owen; Kelly R. Moore in memory of my child, Isaac; Lorraine Debra Agold-Rich, MSN, RN, CRRN, in memory of my child, Esther Rachel; Linda Huffsteller in memory of my children, Matthew Jay and Mark; Sharra Poteet in memory of my child, Hannah Grace; Julie Holdgate in memory of my child, Cody; Madonna Medina in memory of my child, Pua Lililehua; Betty Underwood in memory of my children, Thomas and Olivia Diane; Lisa Skowron in memory of my child, Jonathan Allen; Julia Davis in memory of my child, Joseph Gale Jones; Cathy Stewart in memory of my child, Nicola Dawn; Lisa Beair in memory of my child, Matthew Gabriel; Helen B. Dean in memory of children, Michelle and Samuel; Jennifer Sandidge in memory of my children, Stephen and Anna; Ruth McLemore in memory of my children, Elisabeth Rose and Aidan; Linda Honea in memory of my child, Paul Michael; Toni McKinley in memory of my child, Elijah; Charity Idotenyin Wilson, in

memory of my child, Dylan; Crystal, in memory of my child, Nathaniel; Sue Lassiter in memory of my child, Luke; Rolanda Shrader in memory of my child, Abigail Jordan; Mary Quin in memory of my two aborted children; Penne Logan in memory of my children, Elizabeth Marie, Nathaniel, and Jacqueline Ashton; Carol Rowe in memory of my child, Amy; Denise Mixson in memory of my child, Joshua Caleb; Dianne Kirkwood in memory of my two unnamed children; Andrea Sosebee in memory of my child, Rosemerry; Felicia L. in memory of my child, Christian; Angela Thompson in memory of my child, Hannah Elizabeth; Cheryl E. Carey in memory of my child, Richard; Melinda Chisum in memory of my child, Corey Wayne; Toni Buckler in memory of my child, Francis Mary; Dr. Dianne Heynen in memory of my child, Amanda Marie; Barbara Higgins in memory of my children, Daniel, Anna, Joshua and Lawrence; Amanda Barron in memory of my child, Marilyn Joy; Sonia L. in memory of my children, Angel and Gabriel; Nadine A. Newman in memory of my child, Nathaniel Caleb; Stacy Lynn Massey in memory of my children, Dylan Connor and Dory Kalani; K. A. in memory of my child, E.S.; Golda Sharon Ross Campbell Dunn in memory of my child, Cory James; Danelle Marie Hallenbeck in memory my child, Grace Marie; Kimberley Seward in memory of my children, Ariel and Amanda; Mary Kidney in memory of my child, Theresa Joy; Stacy Branch-Boyd, in memory of my children, Isaiah and Niya; Carla Stream in memory of my child, Aubrey; S.P. in memory of my aborted child; Sherry Neuenschwander in memory of my children,

Andrew "Drew" Mitchell and Jakub Dean; Laureen Metcalf in memory of my aborted children; Cecilia Sullivan in memory of my children, Michael Joshua, Jennifer Lynn, Sarah Renee and Matthew David; Carolyn J. Barry in memory of my child, Addison Joy; Cynthia Boothby Marvin in memory of my child, Jenny; Lynda Winkelman in memory of my child, Hope Marie; Michelle Lyn Geraci in memory of my child, Polly Ann; Alena Radtke Gabriel in memory of my children, William, Jairus, Elizabeth, Mary, Jennifer and Jerry; Susan Rowland in memory of my child, Robert Stephen; Sherry Hearon in memory of my child, Robert Joseph; Irma L. Gomez in memory of my child, Nathanael Yosef (if my child was to be born a boy) or Irma L. Gomez in memory of my child, Sarah Leah (if my child was to be born a girl); Amorette Keenan, in memory of my child, Daniel Joseph; Patti Williamson, in memory of my child, Grace Joy; Teresa A. Bolden in memory of my child, Daniel Raphael; Alicia Michelle Haley in memory of my child, Shanna Marie; Loretta Judy in memory of my child, Ann Theresa; Kaylania in memory of my child, Jamie; Karen Holdren in memory of my aborted child; Katharine Hill in memory of my aborted child; Arlene Lehman in memory of my children, Trevor and Tiarra; Ellen Garrison Philpot in memory of my children, Mathew Thompson, Jacob Clark, and Rebecca Mary; Barbara Chapple in memory of my children, Melissa and Erwin; Melody Ashley in memory of my child, Ericka Rae; Lee Karcher in memory of my child, Samuel; Janet Hurguy in memory of my child, Kenny Lee; Mary Anne Sambo in

memory of my child, Lee Anne; Darlene Ann Durbin in memory of my child, Tina; Julie Atkinson in memory of my child, Erin Marie and Dorothy Dundas in memory of my aborted child, Jay.

## OTHER WOMEN INJURED BY ABORTION

Sue Adams, Maria C. Alosi, Brandi Atwood, B.B., M.B., Brooklyn, Micki, Tammy B. Boone, K.B., Donna Victoria Blain, V.B., J.B., S.M.B., Donna M. Clifton, Tammie L. Cook, Edith Correa, Kandi Cox, M.A.C., S.C., B.E., Jerrel Ann Farmer, L.F., K.G., Carla M. Gregory, Amber Hansen, Teri Hegi, V.H., Jackie Harrell, Paula R. Deckard, Elizabeth Morton, Marsha D. Johnston, D.K., Jeanne Larivee, Dickie Ann Lashlee, Sandra Mauldin, Wendi Miller, Courtney Mitchell, Jackie Montgomery, H.A.M., Joyce A. Nesbit, M.O., Jeanette Parks, Angela Rambo, Angie Ramsey, Nancy C. Ray, Ann Marie Riley, B.M.S., Patti Spain, F.S., Susan A. Wilcoxson, Julia F. Myers-Williams, Dana Renee Nickles, K.M., Laura Jean Eversoll, Patricia Cowan, Amy Burns, Lisa M. Brashears, Katherine Anderson, Lisa, Renee Drennan, Denise, T.C., Amber Ryder, C.S., Adrean, Melissa Swatloski, Carol Owens Vaughn, Crystal Roden, Shatina Logan, Morgan, Darlene Reavis, Linda Jackson, J.H., Maria Pistole, Kari Hodges, Lisa N., Susan, A.H., Kristi Hays, Kellie Eaton, L.G., Sandra Marin, Rita, Katherine Herrmann, Rachel, Vickie Adams, Dalila Aldrich, Debra, Sarah Allen, Tammie, J.A., D.A., L.A., Cindy Arbaugh, Barbara Archer, Kay Archer, Mitzi Atkinson, Linda Austin, B.B., K.B., Jennifer, Patricia Bilbo, Misty Black, L.B.,

Jorea McNamee Blount, Kandy, Rebecca, Donna, Misty Bridges, Amy, A.B., Loretta, Lisa Chisholm, N.C., Maria, Teresa Carrow, Adrienne, Summer Cash, Rosa, Carol Castro, Karen, Leella Cherry, Andrea Christopher, L.C., Kathryn, Kelly Roy, Mary Cochran, P.C., Lisa Collett, Mary Collier, S.C., Lynne, Janet Conway, Cheli Cook, Maria Toribia Cooper, F.C., Jackie, Darlene Johnson Davis, Christi Daws, Annette, J.D., A.D., Dayna DeBin, Saundra Decker, Anne, M.D., Marian, P.D., Crystal Derrick, Mary, J.E.D., Betsy DiGiancinto, Julie Dinkins-Borkowski, Danna Dixon, J.D., Kay Doran, R.D., Elizabeth Douglas, Mary Ann Duncan, Beatrice, K.D., Julie Enriquez, S.E., M.E., Lisa Fallis, K.F., Rosalie Farmer, M.F., Rebecca, Amanda Ford, Angela Ford, Barbi Fox, Celinda Frost, Tina, A.G., Esmeralda Garza, Wanda Gebhart, Melissa Getz, T.G., A.G., G.G., Mary Guzman, Kathi Hall, Ketra Hancock, Carla Hansbro, Cari Harris, Crystal Hartmann, Charlotte Hartzell, Jane Hatcher, Stacey, Dorinda Haun, Jeri Hawkins, Marsha Hayes, S.H., K.C.H., Maria Teresa Hernandez, Sandra Hernandez, Cami Hill, M.H., Rochelle, Bonnie Horn, Lynn Hoyt, Jessica Hughes, M.H., D.J., Carrie, Anna Jordan, Christine Kasper, Katherine Keeney, Jessica Kelly, Penny, Angie, Rebecca Kennedy, Thon, X.K., Wendy, Kristin, Maureen, Janet Kunkel, Jill, Paula Lafleur, Stephanie Larson, Ginny Larvin, Lisa Lerner, Kate, Sandra Livingston, Berlinda Llanes, Penne Logan, Lisa, B.L., Teresa, Madrid, Cindy Maggiulli, K.M., Debra Marrinan, Jennifer Martinez, Judy, Linda, Mary Lee Mason, Marga, Michelle Matthews, Jeri, Erica,

Laura, M.M., Aimee McGinnis, Marion Lee McGlothlin, Sharon, Beth McKee, M.M., Rhonda Meek, Diana Miller, Debra, L.M., Yvonne Moore, Melanie Morgan, Viola Morgenstern, Donna, Kim Moss, Llana Moss, Diana Nash, Tammy, Anisa Neely, Thelma, Suzanne, Marlene O'Keefe, Kimberly, Shelley, P.O., Patti Parr, Gale Payne, Lelar Phoenix, D.P., L.P., B.P., Debra, T.P., Mary, K.R., Sue Ratterree, Ginger Resta, Kimberly Reynolds, Rhonda Rhodes, Margaret Rice, Arcilla Richards, Laura, Karen, Betty Martinez Rivera, J.R., Kellie Roenker, E.R., Irene, Lynn, Dion Ross, Jennifer Samora, Jill, L.S., Lana Sanders, Jennifer, Amy, Linda Seibert, Renee Sharper, Khristina Shaw, P.S., Amy Shipton, Rolanda Shrader, Nicole, Dian, Victoria Smith, Rande Snyder, L.S., Myrna, Christina, R.S., Deanna Suarez, Norma Jean Tanton, Betty Taylor, Joanne, P.T., Stella Taylor, J.T., Keri, R.T., Carrie Toering, Becki, M.T., Meg Valentino, M.V., R.V., T.W., Nikki Waltrowski, J.W., Mary, R.W., Sherre West, Jolean, Alison, P.W., T Antoinette Wilson, M.W., Terra Wood, Januari Works, J.W., L.W., Valerie, Cathy Young, Megan, D.C., MeKel Engel, Cynthia Leonard, L.W., S.A., M.A., LaTasha Anderson, R.A., Stephanie, Pat Becker, E.B., N.B., Linda Lee Caldwell, Stacey Chapman, Ashlyn Clark, Linda, C.C., B.C., S.C., K.D., Lori, Michelle Dominguez, E.E., Renae Erskine, S.F., Jessica, M.F., Wendy, L.H.G., Michelle Haley, H.H., G.H., Emily James, S.J., Janice, Alyson Jones, Linda Lee Jones, C.L.K., Connie, Julie Keenan, V.L., Jennifer, Nancy Marston Gabriel, Natalee McRoberts, Pamela, V.M., Ashley Morris, K.M., L.N., Tracy Nudelman, Robin,

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Linda Tholl, Traci Licht, L.T., Gale Jones, Lupe, Mildred Gonzalez, J.W., Teresa O'Brian, Janet Darrah, Judy Langston, Joan Giakoumis, Suzanne Edens, Tara Bounds, Bonnie, Jana, Marcia McNaney, Angel Hill, Jenny, Elizabeth Gamble, Marion, Daria Monroe, Cherie Anderson, Pam, Heather Chaddock, Mollie, Helen Upton, Denise Lewis, Cheryl, April, Edith Ugarte, June Heitzman, Julie, Billie Jo Carney, Spring Malone, M.P., Wanda Febo, Sarah Eaton, C.A., Jennifer, Lesley May, Renee Pechonis, J.M.C., Jaime, Dee, N.W., Mandi Massenburg, Sharon May, Jeanne Pernia, Lisa Rist, N.L., S.M., E.W., Catherine, Lucinda Fasig, Lisa, M.E., Kathleen Weissinger, M.A., Kristi, C.K., Maura Lanz, Robin Squillante, Mildred Gonzalez, Myrtle, Margo, Silvana, Rebecca Cyphers, Barbara Randolph, Sharon, M.M., C.C., D.L., Gina, Carol Thomas, Deborah Borges, Constance, D.D., Vikki Arneault, Tracy Robertson, M.O., D.P., S.T., Kristy, Brenda, Sarah, Linda, Cheri, M.H., Deborah Le Blanc, Simone Taylor, Elaine, P.J., Rhonda Cruz, Donna, Melissa Mason, Tangie Jeffrey, Diane Bright, Theresa Taylor, Kristine Peters, Gena Duran, M.S., T.M., Mary MacMillam, Luz Marina Tamayo, Ana Lopez, Sharon Herrington, Claudia, S.F., Marjorie Hayes, Karina Stong, Heather Goldin, Alyssa Mayberry, Jennifer Kittredge, Sharon Baumgartner, Lynnsey Bailey, June Heitzman, Winnifred Bell, Denise Hansbury, N.L., Lois Angela Wood, Lynn, Melody Roseberry, Laura Slaback, M.B., Sally Nealy, Mary Guthrie, Melissa Brusoe, A.W., D.P.H., Michelle Geraci, R.M., Patti, Colleen Walters, Karen Franzen, B.W., Katherine Adinolfe, Kimberly Stark, Delia

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B.R., Linda Couri, Narda Rothermel, Rhonda Clark, Anne Penney, JodiLynn Pautz, Dawn, Diane Rittenberry, Lianne, Jody Aldridge, Linda Neill, Debra Birkhead, Joely Forte, Wendy Morrow, Gloria, Tonia Cohoon, Deb, A.S., T.W., J.K.H., V.N., Judy Stott (Dasse), J.R., Pam, Anette Rodriguez, Jean, C.F., Christie Duffy, Phyllis, Crystal, Cathy Trowbridge, Jean Nance, R.T., Barbara, Shannon Dunn, Sarah, Carol Rybacki, Beth DaCosta, Eve Johnson, Amy Wantz, P.C., Kim Barnett, Bonita, Cathy, B.R., Janet Givens, Andrea, Aimee Gill, Shanna, A.A., Holly Maxwell, Fran, Heidi Wheeler, Diann Canapa, L.S.T., Jeanna Romein, Krista, S.H., Lisa, Sarah, Brandi, Iris Wright, Linda Thomas, Marsha Yeary, Linda Sargent, Christine Harrington, Leslie Kraus, Aimee Gill, Ronda Stratton, Peg, Joyce Howard, Sandra, Stacy Wright, Shannon Hoy, R.M., Rebekah Carpenter, Linda Crawley, Rhonda Smith, Julie McMillan, Leandrea, C.K., B.C., Rakisha Davis, Christine Bullock, Virginia Mahoney, T.B., Phyllis, Katrene Bormann, Amy Meyer, Deborah Kohl, Yvonne, A.K., LaVeta Wheeler, Q.M., Wendi Unrein, Kathryn Washburn, Karen, Carol, Marcia, Tina, G.H., Jean, V.S., Anne, J.O., Christine, B.M., Stephanie Thomas, Theresa McCrackine, C.R., Nancy, Kathy, Linda, Amanda, K.T., Erin, Lindsay, Lori Williams, Kristi, Glenda Capps, Denise Nash, Kaitlyn MacMillan, Victoria, Bobbye Blackburn, Pamela Brown, S.F., Bridget Richardson, Terri, J.J., Brenda Fogle, Susan, Angela, Anna, Deidre Edwards, Lisa, Vicki, Deborah Ellis, J.D., Rebecca Barnes, Melinda, Virginia, Heidi Reihing, Melanie, Deanna, Sherry, Catherine New,

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## APPENDIX B

***Amici Women Injured By Abortion's Answers to "Were you adequately informed of the nature of abortion, what it is, what it does?" – "Were you adequately informed of the consequences of abortion?" – "How has abortion affected you?***

**Mary K. Seals**

I was thirteen, having a "forced" abortion by my parents. I think I was probably a little over 12 weeks by the time we went. Nobody told me what really happens to the baby. I don 't remember much talk about it except that "I will feel much better when it's done" and "I can go on with my life" etc. Nothing was said about going on the table and having a vacuum cleaner thing inserted in me. I was traumatized because I wanted to keep the baby, but the abortion counselors at the hospital who performed it just said, "It's only a blob; it isn't a baby yet just tissue. I was told I could go swimming, play tennis, and go right on with life immediately following the procedure. Hours later, I was bleeding very heavily. This bleeding persisted with excruciating pain into the night. My mother took me back to the hospital again because of the pain. They sent us home about 3:00 a.m. with pain killers. But by five or so, I was doubled over vomiting and gushing blood clots unable to move. We went to another hospital and it turns out I needed a D&C. The doctor had only aborted half the baby THE OTHER HALF WAS STILL IN ME! The doctors told my mother if I had just gone to sleep like the emergency room at the first hospital said, I

would have died. I will never forget the torture that little baby must have gone through . I wonder (and so should anyone), "How long did that baby live torn apart?"

**Lisa C.**

I was 16 and scared. I was told halfway through the procedure that I was further along than they suspected and they had to switch the larger diameter instruments. I realized then it had to be a baby and that it was already too late to save it. I laid in bed and endured the worst psychological and physical pain I have ever felt. I passed large clots of tissue and bled so terribly. I thought I was dying. I realized 5 years later when I was married and pregnant with my first daughter that I had murdered my first child. I learned about the development of the fetus in the womb and was horrified to know how developed my first child was when her little limbs were cut and torn from her body. I was never told. How could I know? I was a dumb 16 yr. old kid. After that I fell into a 15 yr. drug addiction and contemplated suicide more than once.

**Kay Archer**

No. I told them I was farther along (20 weeks) than what could normally be performed for a suction abortion, but they didn't care. They told me it could be done. I had NO idea that because I was so far along that the suction abortion would be so devastating to my life, my baby and to my body, physically, mentally, emotionally and spiritually. I was led to

believe that it didn't matter how far along you were that you just had a normal abortion. NO ONE told me any different. I was never so ravaged with pain in my life afterwards. I laid on my apartment floor for two months with a heating pad for so long and so tight that I had blisters on my stomach. I hardly ate or slept, only when it would stop for brief moments. I cried constantly suffering so badly with emotional and physical pain. I didn't realize that what I was feeling was actually labor pains. I did this for two months. I was too ashamed to go to the doctor. And even if I could, I had no money and no one to take me. I was for lack of a better word – alone. After two months of incredible pain, I had an incredible urge to push one day, I went into my bathroom and I ended up having what was left of my child in my toilet. At that moment, my world stopped. I see that picture in my mind almost every day. Right after, I developed Pelvic Inflammatory Disease, endometriosis and eventually had to have a complete hysterectomy at the age of 24. I LOST my womanhood and any possibility of having any more children. I also tried to commit suicide twice and was hospitalized in a mental institution three times over an eight year period because of it. Because of scarring and surgery, I now have Gastroparesis and IBS and suffer immensely with stomach problems. I suffered with Dissociative Disorder for eight years and only through my Lord Jesus did I get through.

**Shannon Stahla**

No. They weren't sure what to do because I was so early in the pregnancy. I was barely 5 weeks pregnant. They normally do a D&C but said I was so too early to do that. They instead scraped inside my uterus for a very long time – about 30 minutes of scraping to remove about a 1/7 size fetus. It was very, very painful. I had no idea I would be barren and unable to get pregnant for the rest of my life. I also had no idea it would cause severe abrasions, soft tissue scarring, thickened walls of uterus and bladder, hemorrhaging for several years and extreme pain for many years. It also may have aided in the severe case I've suffered from numerous fibroids, endometriosis, cysts, adhesions and unexplained tumors. My specialist's only explanation for cause is the abortion and all the scraping they did in my uterus with probable damage to other organs.

**B.B.M.**

No. They told me it was tissue, not a baby. I don't remember being told about possible complications, but they urge you to sign paperwork quickly and get to the procedure. It almost killed me physically because several weeks after my abortion, I began to hemorrhage blood. I ended up on my bathroom floor in a puddle of blood about 4 feet wide and parts of my baby were coming out. I saw a fully formed hand. It was an incomplete abortion. This also affected me emotionally obviously and took years to overcome.

Years later an OB/GYN said I had scar tissue on my cervix from the procedure.

**Mary**

No. I went to George Tiller's clinic where they showed a video, but you weren't required to sit and watch it. Honestly, I was having serious doubts about an abortion especially seeing the young girls who were heavy with child. We were put in a room as a "group" and were not encourage asking questions. For several years I struggled with depression and guilt that I killed my baby even though I told the doctor I had changed my mind. Then when I married a few years later I had a miscarriage and difficulty getting pregnant, which added to the guilt as I knew the abortion had caused damaged to my uterus. I had a hysterectomy when I was thirty years old.

**Jennifer Perry**

No. I was shown a short video of a woman singing and dancing and showing how wonderful her life was after the abortion. I was told NOTHING of the consequences or possible side effects. I found out that instead of aborting a twin, the doctor took my left fallopian tube. I was still pregnant and carried her to term. I had cervical and ovarian cancer and now I have breast cancer for the third time that has metastasized to my brain.

**D.K.**

No. I was told that I would have counseling before the procedure. The counseling consisted of an explanation

of the payment for the procedure. I was a scared teenager that didn't want to have an abortion in the first place. My parents were forcing me to do it. I thought through the counseling I would be able to talk to an adult about what I was going through and that they would help me personally, they did not. I wasn't informed about anything other than the cost of the abortion. There was no concern about my well-being at all.

**Leella Cherry**

No. Just thought it would be a simple procedure that would quickly kill the fetus. Was told that it really wasn't a baby yet just a blob. I was never able to get pregnant again. My parents should have been notified they were never told nor was the father.

**Dion Ross**

I was barely talked to. I signed some papers, sat in the waiting room, was taken to the back where I was told it would be fairly quick, was given some pretty intense pain medication, so strong, I had to be guided and helped to the car later. The doctor told me I would feel a lot of pressure during the process. I was very out of it, I really don't even remember the rest of the day. He asked me if I wanted to know the sex of the baby. I wanted to know but I said no. I didn't even know I was that far along that my baby had a sex yet. I was 17.

**Julie Enriquez**

When I went to Planned Parenthood for the free pregnancy test, the counselor came back in the room with the news that I was indeed pregnant. I was in shock and heartbroken. I was 16. I had no support and no help. She never explained the procedure. She never told me options. It was presented as the only option but the procedure wasn't explained. After giving me a minute to let it sink in, she asked me when I wanted to come in for my abortion. As far as I can remember, I received NO information whatsoever about the actual procedure, only about the general anesthetic and the recovery room. I did not receive an ultrasound to ensure it was a viable pregnancy, only a urine test.

**Sue Lassiter**

No. The whole procedure was minimized to mask the murder of the baby. It was only tissue mass and we were only scraping my uterus. I had no idea of the pain I would endure both physically and mentally.

**Nika**

No. I was fourteen. This child was a product of rape. I was not given any other options, told my baby was a glob of tissue and was given no aftercare. Told absolutely nothing about what could happen during as a complication or what can happen after, nor of the emotional toll this would take on my life.

**Barbara Romeo**

No. They showed us a video, if I recall, that seemed like it was just tissue at that point. It was horrible.

**Karin**

No. I was only 15 and was NOT given a choice – I did NOT want to have this done. I screamed at the doctors to stop but I was a minor and my parents made the choice for me – Roe v. Wade just went through! No, [I was not told of the consequences of abortion] physical pain, emotional pain, destruction of my reproductive organs.

**Y.J.**

No. They didn't tell me it could kill me and I could get breast cancer and/or fibrocystic breast disease later. Now, I might not be able to have children naturally again. I attempted suicide in 2013 because of it.

**Jeanene Brown**

No. I was a teenager that was kept in the dark about the whole thing. My parent paid for the abortion. My parent told the medical personnel to not tell me as much as possible. No.[I was not told about the consequences of abortion]. Just that I would not be pregnant any longer (after the procedure).

**C. B.**

No. Everything was very rushed, cold and impersonal. It was more a matter of sign here and go sit down and wait until we call your name. Nothing

whatsoever was mentioned about any consequences, physical, mental or emotional. It was absolutely the very worst "choice" I have ever made in my 55 years of life.

**Renee Harstine**

No. I was not given any info or counseling. Nothing was told to me.

**Eunice MacDonald**

No. I had no idea what kind of procedure was going to be performed. I was still in denial about my pregnancy until he pointed to the ultrasound and performed the abortion. No. I had no idea how dead I would feel following the procedure or that I would need any kind of after-care program or that an abortion could lead to reproductive issues, not to mention emotional issues.

**Kimberly van der Linden**

No. The procedure was explained as terminating a pregnancy. I didn't think about ending a life. Medically, I had intense bleeding after procedure and there was no one to call or to turn to but my school nurse. I was not offered any counseling concerning the emotional aftermath. No one asked about the father, who was 21 and I was 16, no one told me he had committed a crime pressuring me into sex.

**Linda Hutchinson**

No. I was not told that the growing baby inside of me was a baby. No ultrasound. No. No follow up was encouraged/suggested.

**Jennifer Messina**

No. I was not informed on any facts on abortion during or before my abortion. I do not know how far along I was. No one ever told me. I believe 2nd trimester. I was 15 years old and the legal age was 17 or 18 at the time. My boyfriend's sister who was 18 took me there. She called and asked beforehand if they would ask for proof of age. They said "no" After I had the abortion, I fell down a flight a stairs in the center. I feel they gave me too much medicine for my nerves. I was unable to understand the gravity of what was occurring. I wish they would of taken the time to figure out my age so I wouldn't have been able to have the abortion. The fact that this clinic chose to make illegal choices caused the life of my child to be lost.

**Wendy Collins**

No. I was told nothing about the nature of abortion, just that I would not have a baby when it was over. I was told I would be able to go back to my regular life and be fine. It destroyed my life.

**Amanda L. Garrett**

No. No one visited with me that I remember. I just signed in, was registered and then done.

**Patti**

No. I was 17 yrs. old, paid cash, no counseling and told it was a short minor procedure. It was very painful.

**Nina**

No. Not at all, no one spoke to me.

**G.P.**

No. I just remember it being very cold, mechanical. The doctor seemed to be devoid of feeling. He spent maybe 2 minutes speaking to me before the procedure.

**R.S.**

No. I feel that I was not adequately informed in what was going to happen and what happens during this procedure. It was a hurry up process that left me feeling that I should have been told something.

**Irene**

No. They called it a blob of tissue; I didn't realize I was killing a baby, my baby. They didn't tell me it could possibly mean I would never get pregnant again. Nor was I informed of the emotional pain I would experience pain lasting 38 years.

**Kellie Roenker**

I didn't know that depression and my inability to ever have children again was going to be the consequences.

**Kim**

No. I was not told that a baby was being aborted. I was told that it was not yet a baby. I signed a consent form that listed hemorrhaging as the only consequence. I was not told about potential future infertility, link to breast cancer, link to ectopic pregnancies. I was not told about any psychological trauma consequences. I had a ruptured ectopic pregnancy and almost bled to death. My OB/GYN said that the tubal was most likely caused by the scar tissue that had developed as a result of the abortion 8 years earlier.

**Sarah Allen**

No. The counselor asked me if I wanted an abortion and I said yes. I was not told what would happen during the procedure. He asked if anyone was forcing me to get the abortion and I said no. He told me where to sign. Even when I was in the little room to get the ultrasound so they could see how far along I was, the girl didn't speak to me. She was talking to a girl, training her I guess, and I looked at the monitor and asked "Where's the heartbeat?" All she said was "There isn't one." And she turned the monitor so I couldn't see and ignored me the rest of the time. They didn't tell me I might cry all the time. They didn't tell me I might want to see the baby or hold her. I didn't know it was a small baby. I really thought it was a blob of tissue with a mush of a heart pushing blood. I didn't know she had little arms and head and legs.

**Stephanie Hyrup**

No. I was told an abortion would end the pregnancy and take care of the "problem." The doctor was concerned that he might be in trouble for performing the abortion without the consent of my husband. He explained absolutely nothing to me and I did not ask. I was told I might cramp and bleed for a few days.

**Beth McKee**

No. Only that a "blob of tissue would safely be removed" No. [I was not adequately informed of the consequences of abortion] I suffered from depression for decades afterwards-only the physical was addressed.

**Kimberly**

No. I was not given any counseling or alternatives. Just told to sign on the dotted line. I was 19.

**T.P.**

No. I visited Planned Parenthood, explained what I was there for and was told I would be called. I went with the nurse when called, told to remove my pants and underwear, lay on the table and wait for the doctor. Going to the abortion clinic was like going to a doctor for a cold. Very cold, matter of fact, and no, no one told me of any health or emotional consequences.

**R.W.**

No. I became pregnant because I had been raped. I was so ashamed and so frightened. All I knew was that the baby would be taken from me, that it didn't

have a heartbeat, that it was just a blob of tissue, as so many people have been told. I was not told about the physical pain – and believe me – it DOES hurt!! My child was ripped from my womb and it was the worst pain I have ever experienced in my entire life. As the doctor was doing the procedure (taking my baby's life) I couldn't stop crying, and all he could do was scream at me that "if you don't shut up, I'm going to knock you out."

**Lelar Phoenix**

No, I was just told that I would not be pregnant anymore and could finish my education. Was not given any type of advice or counseling. I was not told that there might be reproductive problems in the future or I could have psychological problems.

**Lisa Chisolm**

No. I wasn't told anything – I was simply asked my name and asked to wait in the waiting room until they called my name. Nothing more was said. There was no conversation about anything from the receptionist or the nurses or the doctor performing the abortion. It was a silent, agonizing experience.

**A.G.**

No. I just went in. The doctors gave me a medication to numb my cervix, they did an ultrasound to make sure I was pregnant, and I had to lay on the table while they left the ultrasound going and then they performed the abortion. I filled out a form of consent

but they never went over it with me so that I understood completely.

**K.F.**

No. I was scared and did not really want to go through with it. No one told me that I would think about this every day for the rest of my life. No one told me the sense of loss I would feel. No one told me that forgiving myself would never come. My mother and father regret the choice they made for me.

**Tina**

No. I was told it was just a blob of tissue and that no life was formed. I later, after taking anatomy and physiology in college, realized what I had done and was devastated. Never was I told of the emotional distress it would cause me for the rest of my life. I was a murderer. I took an innocent, helpless life out of the safest place life should be protected in "the womb."

**Christine Kasper**

No. I only remember that this was going to take care of the problem. I had 3 abortions. No one informed me of any physical, emotional or psychological consequences – short or long term. I recall someone stating that it was safer than having a baby full term.

**M. Matthews**

No. Not informed that my baby was a baby. Not informed of the psychological damage. Post-traumatic

stress is a consequence of abortion and I was not informed of it.

**R.V.**

No. I was not informed of the procedure, what it really involved and I wanted to see a sonogram and was refused. I was told I would bleed like a period but it was much, much more than that, I experienced a lot of cramping and was very depressed afterwards.

**Dorothy**

No. I was too distressed to learn I was pregnant while single, but I do not recall any other option discussed. I felt reluctant but really had no counsel of options.

**Mavis Buckley Jones**

No. There was no ultrasound performed and I was told that the baby was at that point only "tissue" I was not informed of the mental trauma that manifests in addition to the physical trauma.

**Connie Nunez**

No. No counseling provided.

**Matilda Garza**

No. I was not told exactly what happens. There was no explanation.

**Faviola H. Gutierrez**

No. They did not inform me about the pain, the shame, condemnation that I was feeling after the abortion.

**Allison Lee Johnson**

I was not informed of the physical or psychological effects of abortion. I had minor complications after the abortion but no one on the medical staff even acknowledged I had even had the abortion. I returned to the hospital several times after the procedure. I never was able to conceive after my abortion.

**C.C.**

No. I was told what to expect during the procedure and that I may experience some pain, bleeding and nausea afterwards but I was never told about what my other options were and where to seek help if I wasn't sure about my decision (which I wasn't). I remember asking advice from the woman who had just explained the procedure to us, about whether or not I should go through with it or not. She told me, "Look, I'm not a counselor or anything but you seem like a smart girl to me. I don't think you wanna ruin your life by having a baby right now. How many weeks are you?" When I replied I was 12 weeks pregnant she matter of factly said, "Well, if you're gonna do it you have to decide now otherwise it will be too late to do anything about it later." At sixteen years old, frightened and alone, you can imagine the impact that these words had on me. I was never told about the emotional consequences that would arise from this decision. Consequences like depression, a sense of deep loss, lowered self-esteem and an overwhelming feeling of regret and emotional pain.
The abortion was presented as a solution to the

problem of being pregnant and I was treated like a number and not a person who was in desperate need of advice and comfort. . as long as I was able to pay, nothing else mattered.

**Sue Swayze**

No. They told me it was just going to suck out the tissue. No information about the physical effects except for what to expect in the next few weeks. No information at all about any psychological impact.

**Angel Murchison**

No. I cannot remember anyone explaining any options to me.

**Theresa**

No. I was told that the baby was not a baby, but just a blob of tissue. I was led to believe that the baby could feel no pain and that I would be alright after the abortion was over. The doctor said it was like performing a D&C and I would most likely have bleeding afterward like having my period.

**Connie Mossner**

No. I said I don't want this. I know about anatomy and this is a baby, the father is strongly manipulating me into this. She said, they don't always work. I said I wanted to pretend I went through with it and walk out I numbed out. No medical consequences were explained at all. No psychological consequences either.

**K.R.**

No. The Planned Parenthood counselor told me my baby was only the size of the head of a pin. Later research showed that my baby was developed enough to suck its thumb.

**Bonnie**

No. I was told it was my right and that it was a health issue. Of course I was not told that I would have such tremendous emotional and psychological pain for years afterward.

**A.D.**

No. I was not told anything. I was ushered back to a room, they checked me, and then performed it. No one seemed to care, like it was an OK and routine thing to do. There wasn't any discussion about how this would affect me mentally or emotionally. I was only told about the after-effects, as far as how long to rest, etc. There was no counseling whatsoever.

**Christina Singletary-Nkounkou**

No. I was told that the abortion was just the removal of tissue mass. I was told I would feel nothing. First, I felt the ripping of the suction going through me. Thereafter, I was no longer emotionally stable. I had nightmares, chronic depression, and reoccurring of bacterial infections, which could only be explained by the two abortions I had. I was 17 when I had my first abortion and 19 years old on the second.

**Margot Fuller**

No. I was given no information as to the nature of the procedure either before or after the abortion. No one informed me that I could get an infection and end up dying in a hospital. No one talked about the depression, miscarriages and suicidal thoughts that would torment me for decades.

**M.S.**

No. I remember distinctly that the "counselor" told me that at the stage of development of my pregnancy, "we're talking about a lump of tissue." I imagined it as being like a piece of uncooked chicken fat, and that is pretty much how it was described. To my horror, much later, I came to see actual photographs of children at eight weeks gestation. They are quite distinctly human! Little arms, little legs, little heads and faces! I can't tell you how difficult it has been at times to view pictures of ultrasounds of friends knowing that I killed my own child who looked just like that. No, [I was not adequately informed of the consequences of abortion]. I only knew that it would terminate the pregnancy. I had no idea it would change my life forever.

**Jude**

No. I was very young and my mother forced me to get an abortion. She was told. I was not. I was told nothing.

**Shelly Holt**

No. I was not told of if or what pain the child might endure by being sucked from my womb. It was all very cold and informal many girls were there at the same time. I felt like, and WAS, only a number. And so was my unborn child.

**P.S.J.M.**

No. I was 17, scared and didn't know what to expect, what the consequences would be, how I would feel. They did it so often that they didn't even bother to explain anything to me. I just followed the instructions.

**Angela Moreno**

No. I was only 15 and I was so unaware of the consequences of my actions. My parents thought it would make the problem "go away" and everything would be back to normal. I struggle even saying the word. I had nightmares, I began using drugs and drinking heavily and I struggled getting pregnant when I was married and ready. My self-esteem is unrecoverable. I have anxiety and depression.

**Gail Bersch**

No. I was told that it wasn't a living human being. I didn't know what exactly was being done. When I started to cry and didn't want to go through with it, I was put under anesthesia. No one explained how depressed you would be. Or that you would be a murderer. They left you feeling empty, dirty, no good.

**Cynthia Caillouet**

No. I was not told how the abortion would be done or of any complications or side-effects that could occur. I was not told that there was a possibility of not being able to get pregnant in the future or of any of the psychological effects. I was 19 and I was pressured into it by my fiancé. I went through almost 20 years of chronic clinical and treatment resistant depression with seven hospitalizations and two years of electro-convulsive treatments.

**Vickie Edwards**

No. I was not informed about the risks, the procedure performed or what exactly was going on. I was only 16 years old and was treated with no respect and seemingly disdain from the doctor, nurses and office staff. I was not even minimally informed of any adverse effects.

**Gail Holmes**

No. I went to Planned Parenthood live birth was not even mentioned . looking back on this, I feel I was pushed into my abortion no other options were even presented to me. I was given no information on what the negative physical, mental and emotional problems could and would occur. It took me 3 ½ years to get pregnant when my husband and I decided to have kids I was only able to have 1 child. I had so much scar tissue in my uterus. I had horrible pain for years at 31, I had a hysterectomy. My abortion ended my dreams for a large family.

**Patricia LaRue**

No. As a 17 yr. old victim of rape I was told nothing. In fact, I was made to feel as if the rape was deserved because I knew the person. I was treated as if I had been asking for it. I was treated as if there were no other choices but abortion. I was told that no one would believe I was raped so there was no reason to report it either. I was told nothing except that if I didn't have it then I was choosing to destroy my own life.

**Aishaq Mefford**

No. I was only 13 years old. Nobody ever explained to me what would be happening to me. They explained it to my father. However no one spoke directly to me. I was not given an option. I was pregnant as a result of rape. At 13 I knew a lot more than what they gave me credit for. I would have rather had the baby and given that baby a chance at life.

**Micki**

No. I was forced to have this abortion by my ex-husband, an Army officer, who felt another child would adversely affect his military career. I had no idea of the mental, emotional and physical toll it would take on my life.

**Linda Bishop**

No. I was not given any sort of consultation. I called, was scheduled for the next day, did not talk with the nurse or doctor. Checked in, waited a short while and was shown to an exam room. The nurse and doctor

entered, made me comfortable and began the procedure. They were kind of very detached. I knew nothing of consequences until I began to suffer emotional difficulties days after the abortion.

**Jo Lisa Blossom**

No. The paperwork said I would feel "relief" They did not tell me ANYTHING about the development of the baby and when I asked about it, they showed me a fuzzy ultrasound where I couldn't see anything and told me it was "a worm with a head" I have scar tissue on my cervix and have been tested positive for pre-cancer cells. I was never told abortion could affect my chances of having a healthy pregnancy later. I was never told I might not be able to get pregnant later.

**K.H.**

No. I was not told anything. I was only 16 years old and I was being forced into having the abortion by my mother. I had run-away from home twice to try to get to the golden week of 12 so that it could not be performed. The nurse never spoke to me about anything that would go on, what was going on, or what would happen later other than not to get pregnant again. They spoke to my mother but never to me.

**A.G.**

No. It happened after I was gang-raped so I wasn't comprehending what was happening. I was 20 or 21 yrs. old. Sadly, I wasn't told it could cause an ectopic pregnancy and not having a child.

**Joanna**

No. I was never asked if I knew about the procedure or how it was done. I regret it because I became infertile. I often wonder about the child I killed and imagine how old he/she would be. I have since married and my husband and I have adopted a son and are waiting to adopt a daughter. But wish I could have had my own birth child.

**Christina Bridges**

No. I was told it was too late to leave the clinic before the injection. I did not want to burn my baby to death with salt. The girl next to me had a second baby left in her and they had to come back to kill that one, too. I was crying and hated that doctor for injecting me despite my protest. After the abortion, I developed a full body infection and almost died of infection. I could not talk for a year and a half afterwards without crying. I went to therapy and was never consoled. If only I had ripped that IV out of my arm and left the clinic as I have done many times afterwards whenever I am hospitalized. I have to prove to myself that no one can get me in a compromising situation like that again. But no matter what I do, I cannot bring that baby back to life. Also, three of my subsequent children were born premature after that and I lost one of them, too. Health-wise it caused the death of another child. Mental anguish is indescribable.

**Lianne**

No. Planned Parenthood staff said it was good to have the abortion early because "it wasn't a baby yet – only

a blob of tissue." Didn't inform me of any physical pain, consequences or emotional ramifications. I was not given any information on amount of bleeding, physical pain or other consequences. had very difficult and long labors with subsequent pregnancies/deliveries. Doctor said this was most likely due to previous abortion.

**Julie Keenan**

No. I was told this was a good thing that I was doing and that everything would be fine in a couple of hours. I was told to expect some mild pain just after and a few days of bleeding. My first child was murdered in 1992. The doctor did not complete the process and left half of my child in my uterus. My body tried desperately to hold on to the baby. I went back to the clinic because I was still bleeding two weeks later and they told me it was normal. Two weeks late, I was still bleeding and set up an appointment with a gynecologist who also said it was normal. Three months later, my body finally let go of my baby. I almost died on the way to the hospital, had I waited any longer to get to the emergency room, I would not be here today. . Later on I had a precancerous lump from my breast removed. I filed suit against the abortion facility and settled the case. I went on for many years battling depression and suicidal tendencies. When I had my living children, I suffered severe post-partum depression and many times thought of killing myself and my children.

**Cynthia Leonard**

No. I was not informed that I would experience any form of depression nor was I told that I would have physical problems as a result. I went through depression and tried to hide why, which only made it worse! I struggled with "secondary infertility" My first pregnancy after the abortion, I experienced bleeding and placenta previa due to the scar tissue on my uteran wall. I had a very difficult time getting pregnant. It took 4 years to have my second live birth. I have had 2 failed pregnancies after my two live births. No one told me the effects it would have on my ability to conceive again. The abortion was traumatic, halfway through the procedure, the doctor said we would be done in normal cases but it seems that you were carrying twins! I would NOT have aborted them had I known!!!

**D.B.**

No. I was actually led to believe that it was no more than a "blob of tissue" it was not referred to as a baby, a life. I was 17 years old when I had an abortion. I now believe it led to tumors, cysts, and polyps growing in my tubes and at age 19 had to have my right fallopian tube taken out and at 20 years old, more tumors, cysts, polyps and adhesions (scar tissue) which led to a total hysterectomy. It left me not only scarred emotionally but also barren due to an early hysterectomy. I was unable to become pregnant after I married. We tried but the doctor said I would

never have been able to carry to term due to the scarring and tumors.

**Yolanda**

No. When I decided on having this procedure, I was never counseled and somehow, never realized that I was actually terminating a life. After the fact, I felt in my heart and in my reoccurring dreams, that I had committed murder. The procedure was done in a doctor's exam room in a hospital. I was not administered any type of medication. The doctor simply told me not to move or he could puncture my uterus. Years later, when I remarried, I was never able to bear children.

**Lorrie**

No. I was told to sign a form, show my ID and pay cash. No risk, side effects or consequences were discussed at all. I have fibromyalgia, had a lumpectomy for pre-cancerous breast tumor, had a total hysterectomy for adenomyosis or pre-cancerous tumors in the uterine wall. The fibromyalgia symptoms are similar to PTSD and have worsened over time to disability.

**Jennifer Alayo-Aguilar**

No. I ended up in the hospital because of an infection. I tried contacting the clinic when I was having severe shoulder and lower backaches. I was also hemorrhaging with huge blood clots and my urine was stark red when I urinated. I didn't realize it then, but the hospital staff examined me and said they found

tissues left over in my uterus which caused another procedure to be done, a hysterectomy to clean out my uterus. The clinic got back to me with my concerns almost a week later after the abortion to see how I was doing. Had I waited a little while longer, I could have went to septic shock and bled out and gotten a serious infection. I have depression, crying bouts, anger bursts. I feel guilty and shame for doing what I did. What hurts me and aggravates me more is that I can't even express how I feel because I get shut down by people who do not want to hear me out. As a matter of fact, I am struggling to find counseling for this issue.

**Nicole Peck**

No. I was 15 yrs. old. The procedure was never explained to me in any way. My parents did not know – only my boyfriend who drove me there. I was given no other option such as adoption. Absolutely not. They basically took my money, took me back to a room, performed the abortion, gave me antibiotics to go home and provided juice and cookies for us – that was it! There was no explanation whatsoever. I was scared as I laid there and the pain was intense as was the bleeding. I had physical problems attributable to my abortion – endometriosis and infertility later in life. I never had a biological child or was ever pregnant again. I contemplated suicide!

**Kathryn Camarillo**

No. I was told that the baby was a blob of flesh. Was not informed about the psychological damage it would

cause at all. No one ever told me it could cause me not to be able to carry a child to full term and it could limit or prevent me from being able to have children in the future. I was depressed, had flashbacks, heard babies crying, turned to drugs and alcohol. I had another abortion a couple of years later because I was on drugs because of the pain. The second abortion – I almost died. I was home and bypassed bone fragments. I was in the hospital because I was septic and almost died. I was unable to have a normal pregnancy and delivered a premature child weighing 2.9 lbs.

**Wendy Beutel**

No. The only "counseling" I received was to ask me if I had any questions. When I replied that I didn't know but thought maybe it was still just a placenta in there (baby not yet forming), she said "yes, it's just a blob of tissue." She actually used those words. I was also led to believe the procedure would involve only some mild cramping. Instead, it was extremely painful and frightening. I was told that it was easy, with no after-effects except bleeding for a few weeks. I was not told that (according to mainstream, peer-reviewed journals) it could lead to low-birth-weight and/or premature births – both of which I experienced a few years later. I was also not told about the terrible decades of guilt, grief and self-hatred I would experience.

**Debbie**

No. I was not told that I would physically feel the pain of the abortion process during the actual procedure.

I was told that I would be given a pain medication. The nurse who stood next to me and let me hold her hand – I squeezed her hand so very hard that I almost broke it because the pain was so intense. The doctor performing the procedure said to me, "You are the worst patient we have had today. Ha! Ha!" because I was screaming from pain. The worst of it all was when I sat up from the bed in the procedure room, looked in front of me and saw fetuses lined up in jars with lids on them sitting on the counter. I now knew what a horrible, horrible act I just committed. I don't feel I was given adequate information about the physical and emotional side of having an abortion as the experience before and after were quite different. Knowing what I know about the abortion procedure and the mental aspects afterwards, I would never ever have an abortion. I have had emotional and mental issues stemming from this choice I made to have an abortion at 22 years of age.

**Rachele Flores**

No. I was never told what they were going to do to me during the horrific surgery. Planned Parenthood told me that my baby was a blob of tissue. They said it was not a baby. I was completely awake during my abortion and felt everything. They never told me that I would have scar tissue (adhesions) that would continue to grow on the inside of my body and wrap themselves around my bowels and attach them to my back and that I would have horrific pain from this and have to have two surgeries to remove the scar tissue, which causes more scar tissue. The doctors

told me that I would never be able to have children because my ovaries were severely damaged from the vacuum suction from the abortion doctor suctioning the innocent baby out of my womb.

**Shadia**

No. I was 15 years old. I was directly told by the abortion saleswoman that my pregnancy was simply a blob of meaningless tissue. I was not asked if I wanted an ultrasound. I was never told I was killing a child. I was told if I hurried up and scheduled it before I reach 12 weeks, I'd save $150. No consequences of any kind, physical, mental, emotional or otherwise were ever communicated to me in any form whatsoever. There was no discussion of any consequences. Within a just few years of the abortion, I had to have a D&C for unknown reasons, a breast tumor was removed, I have painful uterus fibroid tumors, I had another breast biopsy and cancer scare. I never experienced the joy of motherhood. Less than six months after the abortion, I became suicidal and didn't know why and came close several times to taking my life. I did not value my life and developed severe low self-esteem.

**Randi Lolli**

No. I was not told I could end up with a perforated uterus. Nor was I informed that as I lay on the table screaming in pain my "advocate" would tell me to be quiet so I wouldn't scare the girls that were waiting to have theirs and maybe cause them to want to leave. I ended up with severe endometriosis outside

my uterus, needing surgery to get pregnant, only being able to have one child and needing to have a hysterectomy.

**F.O.**

I was not informed as to any complications or adverse reactions to the abortion, and as a result, when the abortionist did an incomplete abortion, leaving some of the fetal tissue inside my uterus, I was left crying in pain on a cot with someone standing over me waving some type of additional form (probably a consent to waive all rights to me suing their clinic, telling me I had to sign it so they could take me in again and do another "procedure" to "remove the rest of the tissue." I was told my baby was a "blob of tissue" and not a baby. It was incredibly painful physically and emotionally for me.

**S.J.**

No. I was not told that it could cause me to have infertility issues for 15 years and I would suffer extreme guilt and shame. I have had several issues about having this abortion. It has made me cry in agony

**Sally Jacobus**

No. I worked for a physician. He took me to a hospital where abortions were performed. I went in alone and came out alone. No discussion of any kind. It left me sterile! I have had to have a total hysterectomy by the age of 30.

**Christl Siller**

No one told me about what abortion does to your body, mind and spirit. After three weeks, I was still positive for pregnancy and I told them I wanted to keep my baby and they told me "NO" and I would have to terminate my baby. My health went downhill. I miscarried one child. I finally had a beautiful baby girl but I lost my uterus. My baby's placenta had grown though my uterus and I had to have a hysterectomy.

**Deborah Wood**

No. They did not tell me what could happen if I was not totally cleaned out and what I was going through when pain started. I almost died. They left something like afterbirth in me and for three days I was in hard labor after the abortion. They sent me home that day. For three days I was taken to three separate hospitals. Finally, my mother got me to her doctor and he did a D&C and said I was close to having gangrene set up. I had to have a partial hysterectomy. I lost a lot of blood because of the scars in my uterus.

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